



Welcome to this training presentation on the Child Safety Alarm law.

## Objectives

- Background of the Child Safety Alarm Bill and what the law entails
- Identify examples of child safety alarms
- Provide situational examples of violations

### **Objectives:**

- To provide a brief background of the Child Safety Alarm Bill and what the law entails.
- To identify examples of child safety alarms, that when installed and used properly, meet the intent of the Child Safety Alarm law.
- To provide examples of violations in regards to the Child Safety Alarm law that a Licensing Specialist may cite.

## § 48.658 Child Safety Alarm

- Requires a child care center to install a child safety alarm in certain vehicles used to transport kids to and from child care facilities.
- In addition to licensing enforcement actions, drivers and child care providers who knowingly transport children in vehicles without alarms can face criminal penalties of up to a year in jail and \$1,000 in fines.
- Individuals and child care providers who turn off the alarm without checking the vehicle can be charged with a felony punishable by up to 3.5 years in prison and \$10,000 in fines.



### **Background on the Child Safety Alarm Bill:**

Senator Spencer Coggs proposed the initial Child Safety Alarm Bill in 2005 when 2-year old Asia Jones died after being left unattended in a child care van that had picked her up from her home earlier in the day. The driver was arrested but not charged. In 2009, Jalen Knox Perkins died in a similar situation and it served as a catalyst in passing statute 48.658 that requires a child care center to install a child safety alarm in certain vehicles used to transport kids to and from a child care facility.

Under the law, any person or child care provider who knowingly transports children in a vehicle without an alarm can face additional penalties that carry up to a year in jail and \$1,000 in fines (48.658(3)(a)).

Individuals who turn off the alarm without checking the vehicle can be charged with a Class I felony punishable by up to 3.5 years in prison and \$10,000 in fines.

## Definitions

- **Child care provider:** A child care center that is licensed under s. [48.65](#), a child care provider that is certified under s. [48.651](#), or a child care program that is established or contracted for under s. [120.13 \(14\)](#).
- **Child care vehicle:** A vehicle that has a seating capacity of 6 or more passengers in addition to the driver, that is owned or leased by a child care provider or a contractor of a child care provider, and that is used to transport children to and from the child care provider.
- **Child safety alarm:** An alarm system that prompts the driver of a child care vehicle to inspect the child care vehicle for children before exiting the child care vehicle

**Child care provider:** A child care center that is licensed under s. 48.65 (1), a child care provider that is certified under s. 48.651, or a child care program that is established or contracted for under s. 120.13 (14).

**Child care vehicle:** A vehicle that has a seating capacity of 6 or more passengers in addition to the driver, that is owned or leased by a child care provider or a contractor of a child care provider, and that is used to transport children to and from the child care provider.

- A provider may not alter the vehicle (i.e. take seats out) to reduce capacity.
- Parent volunteers using their own vehicles are not required to have an alarm.
- Employees/staff/licensees using their own vehicles during the hours of operation are required to have alarms, if their vehicle seats more than 6 passengers in addition to the driver.

**Child safety alarm:** An alarm system that prompts the driver of a child care vehicle to inspect the child care vehicle for children before exiting the child care vehicle

## Safety Alarms

Only alarm systems that are hard wired into the vehicle's electrical system and activated when ignition is turn on (when installed and used properly) meet the intent.



There are many types of child safety systems on the market but not all will meet the intent of the child safety alarm law. Only alarm systems that are hard wired into the vehicle's electrical system and activated when ignition is turn on (when installed and used properly) meet the intent.

### Examples of Hard Wired Alarm Systems

([http://dcf.wisconsin.gov/memos/BRL/2009/2009\\_05\\_attachment\\_update.pdf](http://dcf.wisconsin.gov/memos/BRL/2009/2009_05_attachment_update.pdf)):

Each of the hard wired systems listed act on the same premise: Once the ignition is turned on, the alarm is activated. **Please note:** New vehicle alarm systems are being developed and the ones shown here are just examples of what to look for. DCF can not endorse a specific product and it is the child care provider's responsibility to determine which child safety alarm best meets their needs.

**Sleeping Child Check Monitor™** - The alarm is turned on and becomes engaged when the ignition of the bus is turned on. To deactivate the monitor, after the bus is turned off, the bus driver must move to the back of the bus and depress a button on the monitor. If a driver fails to deactivate the monitor and exits a door, the horn will sound reminding him or her to check for any sleeping children on the bus.

**Child Check-Mate System™** - When the bus is started, the alarm will emit an audible noise indicating the system is operational. When the ignition is off, the alarm will emit a high pitched beep, after eight second the bus horn will begin to sound. Turn the ignition back to on position and the alarm will sound 3 times at 30 second intervals to remind driver to perform their child check by walking to the back of the bus and depressing the reset button for at least three seconds; a deactivation signal will sound. The alarm has been deactivated and the key can be removed from the ignition.



## Safety Alarms



### Examples of Hard Wired Alarm Systems (listed on the DCF website):

**Bus-Scan®** - Automatically armed each time the ignition switch is turned ON and when the ignition is turned off activates a reminder tone for the driver to begin a seat check. If a disarming switch at the back of the vehicle is not pressed within the prescribed time, the vehicle horn will sound--alerting all who are nearby that the required check was not performed.

**Kiddie Voice™** - Automatically armed each time the ignition switch is turned ON and automatically activated whenever the ignition key is turned OFF. Electronic oral warning message begins prompting the driver to check the vehicle for passengers. Once message system has been activated, it can only be deactivated by walking to the rear interior of the vehicle and manually depressing the cancellation button. During this walk to the rear of the vehicle, the driver is prompted to check each seat for occupants.

**Remember Me™** - When the vehicle ignition is turned off, the alarm activates a dash mounted light and a beeping sound. The light and the beeper make a flash/beep every 15 seconds for a period of 5 minutes to remind the driver to check the vehicle. The reset buttons are placed at the back of the van to require the driver to move through the entire vehicle, checking every seat as they go, to reach the buttons and reset the system. The two reset buttons are about 50 inches apart to ensure that a child is not sent to the back of the vehicle to reset the system. The buttons must be pressed at the same time. If the vehicle is left without a proper system reset, the vehicle hazard lights will flash, the vehicle horn will honk, and an interior strobe light will flash.

**Child Reminder System™** - The alarm monitors all exit doors of the bus so if the driver shuts off the bus and attempts to leave, the system will sound the vehicle horn immediately. When the driver turns the bus off, the alarm sets and turns on the interior lights. The driver cannot leave the bus without deactivating the alarm. Deactivation can only occur after the ignition is turned off and the driver wants to leave the bus. The driver makes sure all doors are closed, turns off the bus (interior lights and red LED illuminate) and the driver walks to the rear of the bus and open the rear door to disengage the alarm. The interior lights will flash twice and this confirms that the driver has deactivated the system.

## School Bus & Mini Bus

Reset button located in back of the bus or reset by lifting the emergency door handle.



### Child Safety Alarm Reset Methods

Each child safety alarm reset is different depending on the model that is installed. Most alarm systems have a single “reset button” that is installed. However, you may consider an alarm being reset by opening up the emergency door or a “dual button” reset in which both buttons needs to be pressed at the same time (to avoid kids being able to reset the alarm in lieu of the driver). There is no rule on the placement of reset buttons in the child alarm system but the provider must demonstrate that the location prompts the driver to look for children.

## Passenger Van

Reset button located in the center of the van (opposite of side passenger doors) or in the back of the van



### **Child Safety Alarm Reset Methods**

The Child Safety Alarm reset button may be located in the back of the van above the rear seat where the driver must walk/crawl over the seats to the back to reset the alarm (while checking for kids) or above the van's middle seat on the driver's side so the driver opens the service doors and checks seats in front and back before pressing the alarm button.

Please review DCF-P-PFS4088 Memo on the use of 10+ Passenger Vans to Transport Children to and From Schools:

[http://dcf.wisconsin.gov/publications/pdf/dcf\\_p\\_pfs4088.pdf](http://dcf.wisconsin.gov/publications/pdf/dcf_p_pfs4088.pdf)



## Mini Van/SUV

Reset button located in the center or in the back of the vehicle.



What's wrong with this picture?

### Child Safety Alarm Reset Methods

6+ Passenger Vehicles (mini-vans/SUVs etc.) - In the back of the vehicle so the driver looks in all of the seats as he/she walks/crawls to the back of the van to reset the alarm or open the back door/hatch to turn it off.

In the middle of the vehicle within arm's reach of the service door so the driver needs to get out, open the service door and reach to press the reset button as they scan for children.

What is wrong with this picture? These reset buttons are meant to be arms length apart so a child cannot reset the alarm for the driver.

## Systems That Do Not Meet Intent



Wireless devices  
Reminder systems  
Child sensing or tracking systems

### Systems That Do Not Meet Intent

Now that you are familiar with the systems that will meet the intent of the Child Safety Alarm law, the following are types of systems that do not meet the intent of the Child Safety Alarm law:

- Wireless devices
- Reminder systems
- Child sensing or tracking systems

In a study by the National Highway Traffic Safety Administration these devices are not recommended for various reasons and do not meet the intent of the Child Safety Alarm law:

- Needs to be manually activated
- Devices are for individual car seats and not all the seats in the vehicle.
- Each time a car seat is moved the device needs to move with it.
- Devices are battery operated
- Wireless technology prone to atmospheric interferences, for example, other electronics in close range; cell phones, electronic organizers, wireless key fobs, turn themselves off, reception, etc.
- Transmittal pad can be damaged or shorted out by liquid spills or diaper leakage
- Improperly positioned child can cause malfunction
- Inconsistencies in warning signal distance
- Variations in alarm setting sensitivity, movement or reposition when sleeping
- Misuse of product

## **How the Child Safety Alarm Rule is Monitored**

The child safety alarm law went into effect August 1, 2009. However the rules are still being promulgated and until they are approved a licensing specialist may site under:

- 250.04(2)(a) or
- 251.04(2)(a) or
- 252.41(1)(a)

### **Licensing Rules with Commentary**

The child safety alarm law went into effect August 1, 2009. However the rules are still being promulgated and until they are approved a licenser may site under 48.658 or 250.04(2)(a)/251.04(2)(a)/252.41(1)(a)

## Types of Child Safety Alarm Violations

- Alarm present but is broken, not working properly or has been disabled and/or tampered with and no transportation is being provided
- Alarm present but is broken, not working properly or has been disabled and/or tampered with and transportation is being provided

### Types of Child Safety Alarm Violations

There are many situations in which a provider may be cited for violations as they pertain to the Child Safety Alarm law. The following are just a few examples of situations:

**Alarm present but is broken, not working properly or has been disabled and/or tampered with and no transportation is being provided:** When a vehicle alarm is installed but is broken, no longer works properly or has been disabled and/or tampered with (when licensing specialist asks for the alarm to be tested) and there is no evidence, observation or admission that children were transported in the vehicle without an operational alarm.

**Alarm present but is broken, not working properly or has been disabled and/or tampered with and transportation is being provided:** When a vehicle alarm is installed but is broken, no longer works properly or has been disabled and/or tampered with (when we ask for the alarm to be tested) and there is evidence, observation or admission that children were transported in the vehicle without an operational alarm.

## Types of Child Safety Alarm Violations

- No alarm present and transportation is being provided
- Deliberately not using or disabling the alarm and transportation is being provided – no harm to child
- Deliberately not using or disabling the alarm and transportation is being provided – a child was harmed

**No alarm present and transportation is being provided:** When a vehicle requiring a safety alarm is not equipped with the required alarm and there is observation, evidence or admission of transporting children in the vehicle without an alarm installed.

**Deliberately not using or disabling the alarm and transportation is being provided – no harm to child:** When there is observation, evidence or admission that an individual has circumvented using a required safety alarm (i.e., no person may shut off a child safety alarm that is installed in a child care vehicle unless the person first inspects the vehicle to ensure that no child is left unattended in the vehicle) but no child was harmed or left unattended in the vehicle.

**Deliberately not using or disabling the alarm and transportation is being provided – a child was harmed:** When there is observation, evidence or admission that an individual has circumvented using a required safety alarm (i.e., no person may shut off a child safety alarm that is installed in a child care vehicle unless the person first inspects the vehicle to ensure that no child is left unattended in the vehicle) and a child was harmed or left unattended.

# Questions/Considerations

## Questions or Considerations

Please contact your licensing specialist for questions related to the Child Safety Alarm:

[http://dcf.wisconsin.gov/publications/pdf/dcf\\_p\\_pfs3059.pdf](http://dcf.wisconsin.gov/publications/pdf/dcf_p_pfs3059.pdf)

If you have a questions regarding the Child Safety Alarm law please contact your Licensing Specialist. Contact information can be found at:

[http://dcf.wisconsin.gov/publications/pdf/dcf\\_p\\_pfs3059.pdf](http://dcf.wisconsin.gov/publications/pdf/dcf_p_pfs3059.pdf)